



03-19-03

RCE/3743 #123

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/597,448
Filing Date	06/20/2000
First Named Inventor	William S. Gatley
Group Art Unit	3743
Examiner Name	Ljiljana V. Ciric
Attorney Docket Number	99917 (4497-4)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RTE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/replay under 37 C.F.R. § 1.116 previously filed on _____

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 02.1000

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$1680.00 enclosed.

c. Payment by credit card (Form PTO-2038 enclosed)

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MAR 24 2003

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/ Type)	Joseph D. Kuborn	Registration No. (Attorney/Agent)	40,689
Signature		Date	3/18/03

CERTIFICATE OF EXPRESS MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL - POST OFFICE ADDRESSEE, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this 18th day of March, 2003. The Express Label is EV268210714US.

Name (Print/ Type)	Veronica K. Haupt	Date	3-18-03
Signature			



PTO/SB/17

FEE TRANSMITTAL

Total Amount of Payment (\$)**1,680.00**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
NumberDeposit
Account
Name**ANDRUS, SCEALES, STARKE & SAWALL, LLP**

- ☒ Charge any additional fee required under 37 CFR 1.16 and 1.17

- ☐ Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance. 37 CFR 1.311(b)

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Entity		Small Entity		Fee	Fee
Code	(\$)	Code	(\$)	Description	Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. CLAIMS

	Fee	From	Fee
		below	Paid
Total claims	-	= X	=
Independent Claims	-	= X	=
Multiple Dependent Claims		X	=

Large Entity		Small Entity		Fee	
Code	(\$)	Code	(\$)	Description	
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
109	84	209	42	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

COMPLETE IF KNOWN

Application Number **09/597,448**
Filing Date **06/20/2000**
First Named Inventor **William S. Gatley**
Group Art Unit **3743**
Examiner Name **Ljiljana V. ciric**
Attorney Docket Number **99917 (4497-4)**

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FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	(\$)	Code	(\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for examination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	\$930.00
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	300	218	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,240	241	620	Petition to revive unintentionally abandoned application	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclos. Stmt.	
591	40	591	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.29(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) **RCE (\$750)** \$750.00

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$1,680.00**

SUBMITTED BY

Typed or Printed Name **Joseph D. Kuborn**

Signature

Date

3/18/03

Complete (if applicable)

Registration Number **40,689**

Deposit Account User ID